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HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. (S) No. 4194 of 2007

Petitioners

1. Smt. Soniya Harvansh, W/o Shri Dilharan Harvansh, Aged about 34 years, R/o Village Khishora, Tahsil Janjgir, District Janjgir – Champa (C.G.)
2. Narayan Prasad Combley, S/o Shri Reshamlal Combley, Aged about 29 year, R/o village Beltukri, Police Station Khisora, Tahsil Janjgir, District Janjgir – Champa (C.G.)
3. Anand Kumar Miree, S/o Shri Tulsiram Miree, Aged about 27 years, R/o Village Unmedibhata, Bhilai Bazar, Tahsil Katghora, District Korba (C.G.)

Versus-

Respondents

1. State of Chhattisgarh, Through its Secretary, Department of School Education, D.K.S. Bhawan, Mantralaya, Raipur (C.G.)
2. The Managing Director, Rajiv Gandhi Shiksha Mission, Akikrit Bhawan, IInd floor, Pension Bada, Raipur (C.G.)
3. The Collector-cum-District Mission Director, Rajeev Gandhi Shiksha Mission, District Janjgir-Champa (C.G.)
4. District Project Coordinator, Rajiv Gandhi Shiksha Mission, District Janjgir-Champa (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

(SB: Hon'ble Mr. Justice Satish K. Agnihotri)

Shri Anoop Majumdar, Advocate for the petitioners.

Shri Yashwant Singh Thakur, Govt. Advocate for the respondent No.1.

ORDER

(Passed on this 19th day of July, 2007)

1. Pursuant to the advertisement dated 24.11.2005 the petitioners made their applications to appear in the examination for appointment on the post of Accountants in the office of the

Collector-cum-District Mission Director, Rajeev Gandhi Shiksha Mission, Janjgir Champa.

2. According to learned counsel appearing for the petitioners, the petitioners are fully qualified in all respects and they appeared in the examination held on 16.3.2006, successfully. The petitioners understand that everything has been finalized but the result could not be declared on account of non-availability of some officers. The basis of the contention of learned counsel appearing for the petitioners is a newspaper report.

3. Be that as it may, this Court cannot direct the respondents to declare the result and make appointment of the selected candidates. The petitioners have right to be considered, not to be appointed on a particular post. It is for the employer to take a decision whether to appoint a person on a particular post or not even after examination.

4. In view of the above stated facts, there is no semblance of any right or breach thereof, invoking extra ordinary jurisdiction of this Court under Article 226 of the Constitution of India to issue a writ in favour of the petitioner.

5. The petition lacks material facts and has no merit. It is accordingly, dismissed, summarily.

Sd/-
Satish K. Agnihotri
Judge

Thakur